

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals
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Elizabeth Small

Docket No. CR-24-0029

Petitioner

v.

State Board of Retirement

Date: May 30, 2025

Respondent

CONDITIONAL DISMISSAL

Elizabeth Small appealed from a January 2, 2024 decision of the State Board of Retirement to pay the funds on account of her late husband to his estate. Ms. Small subsequently elected to receive benefits pursuant to M.G.L. c. 32, § 12(2)(d), which the Board has since been paying. In May 2024, the Board filed a motion to dismiss this appeal as the matter has been resolved.

The Board's action granting Section 12(2)(d) benefits to Ms. Small appears to resolve this matter and make the appeal moot. I am therefore conditionally dismissing it. See 801 CMR 1.01(7)(g)3. The dismissal will become final by June 30, 2025, unless by that date Ms. Small files a request to keep the appeal open and states what issues remain to be resolved.

If Ms. Small agrees with the dismissal, she need take no action.

DIVISION OF ADMINISTRATIVE LAW APPEALS

James P. Rooney

James P. Rooney

First Administrative Magistrate

Order sent to: Elizabeth Small

Yande Lombe, Esq.